

031804  
14 US. PTO

|   |  |   |
|---|--|---|
| <b>UTILITY PATENT APPLICATION TRANSMITTAL</b><br><i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i> |  | Docket No<br><b>A-1916</b>                  |
|   |  | Total Pages in this Submission<br><b>28</b> |

Mail Stop Patent Application  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 CFR 1.53(b) is a new utility patent application for an invention entitled:

OPTIMIZED SUTURE BRAID

and invented by:

Seth A. Foerster

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

Continuation     Divisional     Continuation-in-part (CIP)    of prior application No.: \_\_\_\_\_

Enclosed are **Application Elements**:

Filing Fee

Specification having 14 page(s) and including the following:

[X] Title of the Invention

[ ] Cross References to Related Applications (*if applicable*)

[X] Background of the Invention

[X] Brief Summary of the Invention

[X] Description of the Drawings

[X] Description of the Preferred Embodiment

[X] Claim(s) as Classified Below

[X] Abstract of the Disclosure

9 Sheets of Drawings(s) (37 CFR 113)  Formal  Informal

Oath or Declaration  Executed  Unexecuted  
     Copy from prior application (37 CFR 1.63(d)) (*for continuation/divisional application only*)

Power of Attorney  Executed  Unexecuted  
     Copy from prior application (37 CFR 1.63(d)) (*for continuation/divisional application only*)

Incorporation By Reference -- The entire disclosure of the prior application from which a copy of the oath or declaration is supplied under the above entry, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

Computer Program in Microfiche (*Appendix*)

#### Accompanying Application Parts

Assignment Papers (cover sheets & documents(s))

The prior application is assigned of record to \_\_\_\_\_  
     Copy from prior application (37 CFR 1.63(d)) (*for continuation/divisional application only*)

37 CFR 3.73(B) Statement (*when there is an assignee*)

English Translation Document (*if applicable*)

22859 U.S. PTO  
10/803455

031804

Information Disclosure Statement/PTO-1449       Copies of \_\_\_ IDS Cited Reference(s)  
 Preliminary Amendment  
 Acknowledgment postcard  
 Application is entitled to Small Entity Status.  
 Application Data Sheet  
 Request of NON-PUBLICATION of Application  
 Certificate of Mailing by Express Mail  
 Certified Copy of Priority Document(s) (*if foreign priority is claimed*)

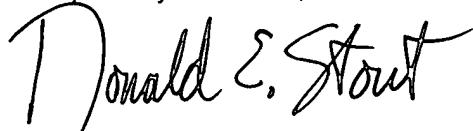
**Fee Calculation and Transmittal**

*\*The filing fee is calculated on the basis of the claims existing in the prior application as amended by the accompanying preliminary amendment noted above.*

| CLAIMS AS FILED  |   |          |        |                  |           |
|--|---|----------|--------|------------------|-----------|
| For  | #Filed  | #Allowed | #Extra | Rate             | Fee       |
| <b>Total Claims</b>  | 33  | - 20 =   | 13     | X \$ 18.00       | \$ 234.00 |
| <b>Independent Claims</b>  | 2   | - 3 =    | 0      | X \$ 86.00       | \$ 0.00   |
| <b>Multiple Dependent Claims</b>   | <i>(check if applicable)</i> <input type="checkbox"/> |          |        |                  | \$ 0.00   |
|  |   |          |        | <b>BASIC FEE</b> | \$ 770.00 |
|  |   |          |        | <b>SUBTOTAL</b>  | \$1004.00 |
| (Application is entitled to small entity status under 37 CFR 1.9 and 1.27) | adjusted small entity status claim fees<br>[rate ÷ 2] |          |        |                  | yes       |
|  | <b>SMALL ENTITY STATUS</b>                            |          |        |                  | -502      |
| <b>OTHER FEE (specify purpose)</b>   |   |          |        |                  | \$ .00    |
|  | <b>TOTAL FILING FEE</b>                               |          |        |                  | \$502.00  |

A check in the amount of \$ \_\_\_\_ to cover the filing fee and the assignment recordation fee is enclosed.  
 The Commissioner is hereby authorized to charge and/or credit Deposit Account Number 13-5135 as described below.  
 Charge the amount of \$ \_\_\_\_ as filing fee.  
 Credit any overpayment.  
 Charge any additional filing fees required under 37 CFR 1.16 and 1.17.

Respectfully Submitted,



Donald E. Stout  
Attorney for Applicants  
Registration Number: 34,493  
Customer Number: 33197

March 18, 2004  
Stout, Uxa, Buyan & Mullins, LLP  
4 Venture, Suite 300; Irvine, CA 92618  
phone (949) 450-1750; fax (949) 450-1764  
e-mail: dstout@patlawyers.com

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application: /  
Seth A. Foerster /  
/

Filed: Herewith /  
/

For: OPTIMIZED SUTURE BRAID /

EXPRESS MAIL MAILING LABEL NO. **EV204258246US**)

Date of Deposit: **March 18, 2004**

I hereby certify that the following documents as identified below are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under CFR 1.10 on the date indicated above and are addressed:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

enclosures:

1. Transmittal letter;
2. Application Data Sheet;
3. Specification/Claims/Abstract 14 pages  
(Specification & Abstract 9 pages; Claims 33 / 5 pages);
4. 9 sheets of informal drawings;
5. Declaration for Patent Application (unexecuted); and
6. Return Receipt postcard.

Each of the 6 above-identified documents are enclosed herewith.

Respectfully submitted,



Diane Rasmusson  
Office of Donald E. Stout. Reg. No. 34,493  
4 Venture, Suite 300  
Irvine, CA 92618

Telephone 949/ 450-1750  
Facsimile 949/ 450-1764